



PATENT
1422-0454P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Yuki HIDAKA et al. Conf.: 5562
Appl. No.: 09/749,388 Group: 1714
Filed: December 28, 2000 Examiner: C. SHOSHO
For: WATER-BASED INK

#7/jm
05/15/03

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 53(d) CPA APPLICATION
OR WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
MAY 13 2003
GROUP 1700

May 9, 2003

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. ☒ Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☐ Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

a. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The attached patents, publications, or other information in the English language do not require a statement of relevancy.

b. ☐ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

d. ☒ **OTHER**

The following additional information is provided for the Examiner's consideration.

Each Japanese reference enclosed herewith and listed on the attached PTO-1449 form was cited in an Office Action that issued in the corresponding Japanese patent application. U.S. Patent No. 5,969,033 corresponds to JP 11-246808.

FEES

IV. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):
(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. (This section is not to be used with RCE's and CPA's).
- b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. ☐ concurrently with the filing of a Continued Prosecution Application under 37 C.F.R. § 1.53(d) or concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
- d. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required.
In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. ☐ No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
- or
- b. ☒ See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☒ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)

- ☐ A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- ☐ Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.
- ☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
John W. Bailey, #32,881

JWB/ETP/las
1422-0454P

P.O. Box 747
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Attachment(s): ☒ PTO-1449
☒ Documents
☐ Foreign Search Report
☐ Fee
☒ Other: Japanese Office Action

(Rev. 04/30/03)

Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

ATTY DOCKET NO.
1422-0454PAPPLICATION NO.
09/749,388APPLICANT
Yuki HIDAKA et al.FILING DATE
December 28, 2000GROUP
1714
U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	US 5,969,033	A	1999-10-19	Pearlstine			
	US						
	US						
	US						
	US						
	US						
	US						
	US						
	US						
	US						

FOREIGN PATENT DOCUMENTS

	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION/ ABSTRACT	
								YES	NO
	JP	11-246808 ✓	A	1999-09-14	JAPAN			X	
	JP	10-46079 ✓	A	1998-02-17	JAPAN			X	
	JP	10-251569 ✓	A	1998-09-22	JAPAN			X	
	JP	10-251575 ✓	A	1998-09-22	JAPAN			X	

OTHER DOCUMENTS

(Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

JWB/ETP/las

拒絶理由通知書

Office Action

特許出願の番号	特願2000-402933
起案日	平成15年 4月 9日
特許庁審査官	山田 泰之 8720 4V00
特許出願人代理人	細田 芳徳 様
適用条文	第29条第2項

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

理 由

この出願の請求項1～9に係る発明は、その出願前日本国内又は外国において頒布された下記の刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

・請求項1及び2に係る発明に対して

引用例1の特に特許請求の範囲及び実施例中のポリマー2の欄、引用例2の特許請求の範囲、【0024】～【0040】には、ポリマーが水溶性であること以外は本願発明中のインクと同じインクが記載されている。そして、これらインクは鮮明性、耐水性、耐光性、印字状態、印字ヨレ発生等が良好なものである。

そして、水性インクにおいて含有されるポリマーが水溶性の物も水不溶性のものもよく知られているから、引用例1及び2記載のポリマーを水不溶性とすることは当業者が適宜なし得ることであり、特に困難性を伴うものではない。

・請求項3～9に係る発明に対して

引用例3～6には、水系顔料インクに使用される高分子分散剤が本願発明中の式(2)、式(3)又は式(4)で示されるモノマーに相当するモノマーを共重合成分とすることが記載されている。また、引用例1～6に記載されたようなポリマーの合成に際して、重合又は付加反応を開始させる機能を持つ開始剤構造を有するポリマー等を使用すること、また、紫外線吸収剤等の周知の添加剤を使用することに特に困難性を有するとは認められない。

この拒絶理由通知書中で指摘した請求項以外の請求項に係る発明については、現時点では、拒絶の理由を発見しない。拒絶の理由が新たに発見された場合には拒絶の理由が通知される。

引用文献等一覧

1. 特開平11-246808号公報
2. 特開平6-100810号公報 → already filed as an IDS document
3. 特開平10-46079号公報
4. 特開平10-251569号公報
5. 特開平10-251575号公報
6. 特開平8-231912号公報 → already filed as an IDS document

(1) 明細書を補正した場合は、補正により記載を変更した個所に下線を引くこと（特許法施行規則様式第13備考6）。

(2) 補正の際には、補正は、この出願の出願当初の明細書又は図面に記載した事項のほか、出願当初の明細書又は図面に記載した事項から当業者が直接的かつ一義的に導き出すことができる事項に限られる点に注意し、意見書で、各補正事項について補正が適法なものである理由を、根拠となる出願当初の明細書の記載箇所を明確に示したうえで主張されたい。意見書の記載形式は、特許異議申立における訂正請求書の記載形式を参考にされたい。

この拒絶理由通知の内容に関するお問い合わせ、または面接のご希望がございましたら下記までご連絡下さい。

特許審査第三部有機化学 山田 泰之

TEL. 03 (3581) 1101 内線3483

FAX. 03 (3501) 0698

先行技術文献調査結果の記録

- ・調査した分野 IPC第7版 C09D11/00, C08L51/00
DB名
- ・先行技術文献

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。